

MINUTES OF THE CANANDAIGUA CITY COUNCIL MEETING
THURSDAY, JUNE 4, 2020, 7:00 P.M.
<https://zoom.us/j/95019093147>

Mayor Palumbo called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Roll Call:

Members Present: Councilmember Ward 1 Nick Cutri
Councilmember Ward 2 Dan Unrath
Councilmember Ward 3 Karen White
Councilmember Ward 4 Erich Dittmar
Councilmember-at-Large Robert O'Brien
Councilmember at-Large Renee Sutton
Councilmember-at-Large James Terwilliger
Councilmember-at-Large Stephen Uebbing
Mayor Bob Palumbo

Also Present: City Manager John D. Goodwin
City Clerk-Treasurer Nancy C. Abdallah
Corporation Counsel David K. Hou, Boylan Code
Assistant City Manager Rob Richardson

Review of Community Core Values: Councilmember-at-Large Uebbing read the Community Core Values: As residents, city staff and appointed & elected officials of the City of Canandaigua, our decisions and actions will be guided by these core values: Responsive, Participatory Governance; Caring & Respect; Integrity; Heritage; Stewardship; and Continuous Improvement.

Approval of Minutes: (May 7, 2020 minutes will be approved at the next meeting)

Recognition of Guests:

- Denise Chaapel Downtown BID Manager –There was a very peaceful Black Lives Matter protest held at the Commons Park and in downtown, and I just want to publicly say a huge thank you to Mayor Palumbo, John Goodwin, especially Chief Hedworth, and the entire police force. Governor Cuomo signed an executive order to allow our restaurants in our region to do outdoor dining and for the past month we have been working on finding ways to be able to expand our outside dining while helping our restaurants get opened. It's with a heavy heart that I announce that after 31 years of bringing quality arts and musicians to our region, the BID Board of Directors needs to announce that we will be canceling this year's Annual Arts and Music Festival. The Arts and Music festival will be back next year, July 16, 17, and 18, and in the interim we are planning much smaller scale art and music related events this year on that same weekend as the phases roll out in what we will be allowed to do. The summer farmers market will open Saturday from 8:30 to 12:30 under the Mill Street market, but excited to say that it's expanding so that we can socially distance this year, and it will take over the entire east side of Mill Street. Also, we have a brand-new business opening in downtown Canandaigua called Canandaigua Record Exchange. They'll be at 170 Mill Street, open from 10:00 to 7:00,
- Mike Yarger, I'd like to bring up is this outside dining thing and the use of Phoenix Street, possibly, for Wally's. My understanding is that they have been denied use of their space in front

of their business, and I would encourage you and the City Manager to try and work with them to get something worked out so that we can have something going on there.

Response: City Manager John D. Goodwin stated that this is being worked on but we need to get the businesses to support it because we cannot close the street for one business.

Committee Meetings:

Planning Committee: June, 2020 (Appendix A)

- Community Choice Aggregation Public Information Meeting

Finance Committee: June 2, 2020 (Appendix A)

- 2019 Financial Audit Report
- FLTV Contract and Budget Amendment
- Reassessment
- Discussion on Hiring Freeze

Environmental Committee: May 19, 2020 (Appendix B)

- Kershaw Park Beach and Bathhouse Opening Update
- City of Canandaigua 4th of July Festivities Update
- Dog Park Shade Structure

Ordinance Committee: May 19, 2020 (Appendix B)

- Downtown Parking

Resolutions:

Resolution #2020-042:

Moved: Councilmember Ward 2 Unrath
Seconded: Councilmember-at-Large Terwilliger

A RESOLUTION SETTING THE TIME AND PLACE OF A PUBLIC HEARING TO OBTAIN PUBLIC INPUT REGARDING A NEW YORK STATE OFFICE OF COMMUNITY RENEWAL PROJECT

WHEREAS, the City of Canandaigua submitted and was awarded a Small Business Economic Development Grant through the New York State Office of Community Renewal (“OCR”) to assist in the establishment of a restaurant at 170 South Main Street in Canandaigua, New York; and

WHEREAS, a public hearing is required to obtain citizen views regarding any aspect of the project implementation, including but not limited to any construction, financing and employment opportunities resulting from the project;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that a public hearing regarding the implementation of the 170 S. Main St Corp. Project that received Community Development Block funding from the New York State Office of Community Renewal shall be held in the during the City Council meeting at 7:00 p.m. on July 2, 2020; and

BE IT FURTHER RESOLVED that the City Clerk shall cause notice to be given and published as required by law.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Unrath, Councilmember Ward 3 White, Councilmember Ward 4 Dittmar, Councilmember-at-Large O'Brien, Councilmember at-Large Sutton, Councilmember-at-Large Terwilliger, Councilmember-at-Large Uebbing and Mayor Palumbo

NOES: None

Resolution #2020-043:

Moved: Councilmember-at-Large Terwilliger

Seconded: Councilmember Ward 1 Cutri

**A RESOLUTION AMENDING THE 2020
AGREEMENT WITH FINGER LAKES TELEVISION**

WHEREAS, as way to improve transparency and offer residents an increased opportunity for participatory governance, the City of Canandaigua expanded its contract with Finger Lakes Television (FLTV) in the 2020 Adopted Budget to broadcast all of its City Council and Committee meetings; and

WHEREAS, the total amount of the original contract, including the annual \$10,000 grant from Spectrum Communications for public access equipment and \$23,000 for public access services, was not to exceed \$33,000; and

WHEREAS, since that contract was executed, however, the COVID-19 pandemic has created the need for more broadcast meetings than originally anticipated resulting in increased demand on FLTV; and

WHEREAS, as a result, the contract needs to be amended to accurately reflect the scope of services provided and appropriate compensation for services rendered; and

WHEREAS, FLTV is proposing a \$490 per meeting for any meetings not originally included in the contract, and there have been six (6) meetings held thus far totaling \$2,940, and there is a high likelihood that there will be additional meetings not included in the original contract; and

WHEREAS, Staff recommends a budget amendment utilizing up to \$6,000 of unallocated outside agency funding, as well as amending the contract to cover these six (6) meetings and the expense for up to an additional six (6) meetings not originally included in the scope of work; and

WHEREAS, this recommendation was reviewed at the June 2nd Finance Committee meeting;

NOW, THEREFORE, BE IT RESOLVED, that City Council authorizes the City Manager to execute an amendment the 2020 Contract for Public Access Cable Television with the Finger Lakes Community College Foundation for additional services from FLTV;

BE IT FURTHER RESOLVED, that City Council hereby approves a budget amendment to utilize up to \$6,000 of unallocated outside agency funds to fund the amended FLTV agreement.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Unrath, Councilmember Ward 3 White, Councilmember Ward 4 Dittmar, Councilmember-at-Large O'Brien, Councilmember at-Large Sutton, Councilmember-at-Large Terwilliger, Councilmember-at-Large Uebbing and Mayor Palumbo

NOES: None

Resolution #2020-044:

Moved: Councilmember-at-Large Terwilliger

Seconded: Councilmember-at-Large Uebbing

**A RESOLUTION ACKNOWLEDGING AND SUPPORTING A REASSESSMENT
FOR THE 2021 ASSESSMENT ROLL**

WHEREAS, the City of Canandaigua Charter intends that the assessment of all properties within the City be maintained in uniform relationship to current market value; and

WHEREAS, Section 305 of the New York State Real Property Tax Law mandates uniform assessments; and

WHEREAS, the New York State Office of Real Property Services requires a resolution supporting said reassessment; and

WHEREAS, Staff recommends authorizing a resolution to support the reassessment, and this recommendation was reviewed at the June 2nd Finance Committee meeting;

NOW, THEREFORE, BE IT RESOLVED, that City Council hereby acknowledges and supports a reassessment of all city properties for the 2021 assessment roll.

Discussion: Some Councilmembers expressed concern on the impact of the COVID 19 pandemic on housing values and thought it was best to wait on the reassessment. Others felt that the housing market is reasonable stable and doesn't see huge spikes up or down on, depending on the economy.

The motion CARRIED on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Unrath, Councilmember Ward 4 Dittmar, Councilmember-at-Large Terwilliger and Mayor Palumbo

NOES: Councilmember Ward 3 White, Councilmember-at-Large O'Brien, Councilmember at-Large Sutton, Councilmember-at-Large Uebbing

Ordinances:

Ordinance #2020-002: (Introduced and Tabled at the May 7, 2020 Council Meeting)

AN ORDINANCE AMENDING CHAPTER 600-12, SNOW AND ICE REMOVAL, OF THE MUNICIPAL CODE

Lift from the Table: Councilmember at-Large Sutton

Seconded: Councilmember Ward 2 Unrath

Vote Result: Carried unanimously by voice vote (9-0)

Vote on Ordinance:

Moved: Councilmember at-Large Sutton

Seconded: Councilmember Ward 1 Cutri

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Unrath, Councilmember Ward 3 White, Councilmember Ward 4 Dittmar, Councilmember-at-Large O'Brien, Councilmember at-Large Sutton, Councilmember-at-Large Terwilliger, Councilmember-at-Large Uebbing and Mayor Palumbo

NOES: None

Local Laws: None

Manager's Report: City Manager John D. Goodwin reported the following:

- Kershaw Beach – we are planning to open at the end of the month on June 27th. The hours will be from 10:00 to 7:00 instead of 10:00 to 9:00. But there are 13 pages of guidelines and regulations related to COVID-19 that we need to implement. So, because of those, it's likely we would only be able to have about 200 to 300 people in the beach at a time. So, I want to remind everyone, we might not be able to let you swim based on the COVID-19 guidelines and to have social distancing within it. So please be patient with us, if you go and the beach is already full.
- July 4th- we are not having the parade or the fireworks like we all wish we could, but we are celebrating in a different way where we're, a socially distant way, where we're decorating our homes. And we do have a number of different awards that we will be having. And all that information can be found on our website, right on the main page.
- I also wanted to mention the Black Lives Matter protest that took place yesterday. I was very moved by the stories that were told and the speeches that were held, and frankly troubled by some of the stories that I heard about racism that takes place in Canandaigua. So, I hope we can all take this moment to look ourselves in the mirror and see how we can improve, and make sure that we don't treat anybody, whether they're people of color or different gender or different whatever, any different than the way that we would want to be treated. There is another protest tomorrow at 5:00 p.m. in front of the County Courthouse.
- I will finish with some sad news that Kay Wharmby, who was a former clerk treasurer for the City of Canandaigua, recently passed away. She was our treasurer for about five years.

Appointments: None

Miscellaneous:

- Reopening Plan - Denise Chaapel Downtown BID Manager –Finger Lakes Visitors Connection, has come out with a regional approach to reopening our businesses successfully and making sure that our region is declared as being a safe place to shop, dine, travel to, and explore. All businesses within our city and community are able to go into the VisitFingerLakes.com website and just type in search of COVID-19, and there is an incredible wealth of information for every business, whether it be per your category or tourism or restaurant, whatever it is, we have spent the past three weeks working with the Governor's office, County leaders, and pulling together these resources.
- Summer Camps –City Manager John D. Goodwin - based on what we think the guidelines will be, we might be able to pull off some micro camps at a much smaller scale than what we've done in the past. But until we see the guidelines, we can't make a informed decision on that. So, at this point, our summer camp and our kiddie camps remain canceled.
- Councilmembers commented on ways to make our community better – I would challenge us, though, as a Council as a community, to ask, what are we doing, really, to promote cultural competency and diversity and equity within our community? Because when these things happen, they often happen because, and then we react to them, okay, there is no plan, how can we avoid issues of racism? How can we recognize racism in our midst and root it out and do what we need to do so we don't have a society, we don't have a community, where racism prevails? I'm interested in learning what is done already in the training that our employees get, particularly the Police Department I suppose, and whatever programs, workshops, experts are out there that can enhance what we already do, and not let this opportunity go. It's too important to me and to our country. *This will be an ongoing discussion.*

Executive Session:

Councilmember Ward 3 White moved to close the regular meeting to go into Executive Session at 8:22 PM to discuss pending litigation. Councilmember at-Large Sutton seconded the motion.

Vote Result: Carried unanimously by voice vote (9-0)

Regular Session:

Councilmember-at-Large O'Brien moved to close the executive session and return to the regular meeting at 8:36 PM. Councilmember Ward 2 Unrath seconded the motion.

Vote Result: Carried unanimously by voice vote (9-0).

Adjournment

Councilmember Ward 4 Sutton moved to adjourn the regular session at 8:37 PM. Councilmember Ward 3 White seconded the motion.

Vote Result: Carried unanimously by voice vote (9-0).

Nancy C. Abdallah
City Clerk-Treasurer

Appendix A
PLANNING COMMITTEE & FINANCE COMMITTEE
Tuesday, June 2, 2020
7:00 PM
<https://zoom.us/j/96767346578>

Planning Committee: Steve Uebbing, Chair
Jim Terwilliger
Nick Cutri
Dan Unrath

Other Councilmembers: Mayor Palumbo, Karen White, Erich Dittmar, Robert O'Brien, Renée Sutton

Staff: John D. Goodwin, Rob Richardson, David Hou, Nancy Abdallah, James Sprague

1. Community Choice Aggregation Public Information Meeting

At its April 2nd meeting, City Council adopted Resolution #2020-030 selecting Joule Assets, in conjunction with Roctricity, as the Third-Party Administrator for the City of Canandaigua's Community Choice Aggregation (CCA) program. One of the primary responsibilities of the Third-Party Administrator is to ensure smooth implementation of the CCA program by holding public information meetings, conducting community outreach, and providing support for both residents and City Staff. Sue Hughes Smith and Ben Frevert from Roctricity will in attendance to conduct the first Public Information Meeting on CCA and answer any questions regarding the program.

Members of Roctricity's Staff conducted a public information session regarding the City's Community Choice Aggregation Program, as well as the option to include community solar in the initiative. Additional Public information meetings will be scheduled for the near future, and outreach efforts aimed at educating residents about the CCA Program will continue. All handouts, links to additional information, and the slideshow from tonight's presentation are available on the City's Website by [clicking here](#).

Steve mentioned that he would like to have a larger discussion around policy.

Nick motioned to adjourn, Jim seconded.

Meeting adjourned at 7:39 p.m.

Finance Committee: Jim Terwilliger, Chair
Nick Cutri
Steve Uebbing
Erich Dittmar

Other Councilmembers: Mayor Palumbo, Dan Unrath, Karen White, Robert O'Brien, Renée Sutton

Staff: John D. Goodwin, Rob Richardson, David Hou, Nancy Abdallah, James Sprague

***** Meeting came to order at 7:39 p.m.*****

1. 2019 Fiscal Year Auditors Report

The unaudited 2019 financial statements were presented at the Finance Committee meeting held March 3, 2020. The City's independent audit has been completed and a representative from Raymond F. Wagner, CPA, P.C. a division of Mengal, Metzger, Barr & Co., LLP will be at the meeting to review the highlights of the 2019 audit.

Mike DeBadts from Mengal, Metzger, Barr & Co., LLP was on the meeting to discuss the 2019 Financials. Overall, there was an unmodified opinion with no deficiencies or material weaknesses, which is the result you want for an audit. There was a restatement in the general fund and fund statement of \$50,000 due to a new GASB Accounting Standard. Interest earnings in 2019 were well above 2018, and the City did a great job benefitting from this prior to the current pandemic. He stated that the City does a great job of budgeting, and our variances were well below industry standard- especially when it's on the positive side. Overall, our variances are reasonable at roughly 5%, which is also consistent with where the City has been in the last few years. A lot of our savings came through attrition and unfilled vacancies throughout the year. Mike believes we are in a strong financial position. Our undesignated fund balance is about 25.6% of the budget- roughly \$90,000 more than we should have. Mike then moved on to the water and sewer funds. The City was able to invest more in the long-term operations of the water system infrastructure than it took on debt. The Water Fund is in a solid position, which is a reflection of good management and implementation. The Sewer Fund is operating at a loss, but it's made up for by non-operating revenues. In terms of recommendations, they would like the City to continue to look at Cyber Risk Management, as the threat evolves daily. They also noted there is no redundancy in the Payroll Department, and there should be someone cross-trained. Sometimes the check process does not take place, and they would like to see this happen every week.

Jim requested a follow up presentation at a Council meeting, and Mike said he will be available to do a brief presentation. Steve raised the issue of policy again, and what are the policies that determine if we accept the audit or not? Renée asked if there was a difference between what was done in 2018 to 2019, because there appeared to be more distributed last year. She also asked if it was in its final form, and Mike said no- it is just the executive summary. Renée believes Council is entitled to see the full audit report- and John restated they need to finish it. Renée said she would rather wait to discuss it when the audit is fully completed, and John said once it's completed it will be distributed and made available to the public. Jim requested we wait to report on the audit at the Council meeting until July when the report is fully completed.

2. FLTV Contract and Budget Amendment

As way to improve transparency and offer residents an increased opportunity for participatory governance, the City of Canandaigua expanded its contract with Finger Lakes Television (FLTV) in the 2020 Adopted Budget to broadcast all of its City Council and Committee meetings. Since that contract was executed, however, the COVID-19 pandemic has created the need for more broadcast meetings than originally anticipated such as Planning Commission, Zoning Board of Appeals and special City Council meetings resulting in increased demand on FLTV. Staff recommends reviewing and amending the contract with FLTV to reflect the true scope of work and provide fair compensation.

John provided a brief overview of the agenda item, and Kyle from FLTV was both broadcasting

and participating in the meeting. FLTV is being asked to do more than their original contract entailed, and they are asking for fair compensation for services rendered. Kyle stated FLTV really values its partnership with the City, but they need to be compensated fairly. The proposal submitted by FLTV was for \$490 for meetings over an hour, with shorter meetings costing less. The additional funds are coming from another outside agency contract that wasn't approved, and John recommends using those funds. Robert asked if the City plans to continue live streaming meetings additional meetings once COVID ends, and John there will likely need to be additional meetings for other subcommittees broadcast that weren't anticipated. Renée asked for clarification on the actual meetings we contracted FLTV for, which Kyle provided. She asked David if the contract references that proposal, and he said he wasn't seeing a specific reference. She asked for the cost per meeting, and Kyle said the breakdown isn't that clean because of fixed costs. Renée thinks this should be a wash if we planned on having 4 committee meetings a month, but John said the original number was based on 2 committee meetings a month. Jim and the Mayor suggested putting these extras expenses through FEMA. John said he will give it a shot, but he thinks the answer will be no. Jim suggested we hold off on making a decision until we have more information.

3. Reassessment

The City of Canandaigua is scheduled for a Reassessment in 2021. The New York State Office of Real Property Services requires a resolution supporting reassessment, and Section 305 of the New York State Real Property Tax Law mandates uniform assessments while allowing City Council to procure professional consultant services to ensure uniformity. Staff recommends City Council authorize a resolution to support the reassessment.

John provided a brief overview of the agenda item. Some municipalities have chosen not to do revals because of COVID. Jim asked when the last reassessment was, and John said 2016. Steve asked if we expect property values to go up, and John said we have not seen that- it's a seller's market. Robert asked if we budgeted for this, and John said yes- about \$6,000. He added our equalization rate is less than 100%, and we need to try and close that gap. Renée believes we should move forward with this, and sees it as an investment in the City's future. Jim said this would be fairer for residents than a blanket 3% rate, and it's been 4 years, so we owe it to the property owners to properly assess the value of their asset. Steve is concerned a fluctuation could put us further behind the ball, and thinks this is a shaky time to do a reval. He won't oppose it, but points out these are unstable times. Robert O'Brien thinks we should wait until next year. John added the longer we wait between revals, the more expensive it gets to complete them.

Nick moved to approve the reval- there was no second.

The proposal is not supported at this point.

4. Discussion on Hiring Freeze

The COVID-19 health crisis will have a large impact on the finances of municipalities across the country. In response to the unknown fiscal losses caused by the pandemic, the City Manager instituted a hiring freeze on any positions created in the 2020 Adopted Budget, hiring replacements for any staff who retired this in 2020 and several seasonal positions. Because these positions were budgeted and approved for this year, however, the Mayor asked for a discussion on lifting the hiring freeze in its entirety or on select positions. This item was added to the agenda for discussion.

The Mayor's concern about the hiring freeze is primarily with seasonal employees- the condition of some of the parks over the last few weeks and how our community looks is important. He'd like to see more Parks Staff and/or College kids fill these jobs, and they were budgeted for.

He also pointed to the retirements, and the need to fill those positions. DPW needs more staff, and John has mentioned sending someone from City Hall down to the Hurley Building. Sending John and Rob's support out doesn't make sense- the Mayor sees they need help too. He also would like to see additional firefighters hired, and he doesn't want us to go backwards. Every department is short staffed, and we're hurting our ability to deliver services by not being fully staffed across our departments. He doesn't want our community to get a bad reputation and impact tourism/visitors coming to the City. Steve asked if we are reviewing these positions on a case by case basis, and the Mayor said yes. He wants to support the Mayor's proposal, but not if it is going to put us further behind. He doesn't want to spend money we aren't sure we are going to have. Dan sees the concept of a hiring freeze as meaningless, because in his prior job they hired people during a freeze on a case by case basis all the time. If the City Manager needs staff, he can ask. Dan also pointed out that public safety is important, and Police and Firefighter jobs are hard to fill and require a tremendous amount of training before becoming a full-functioning staff. If we have an applicant in either of those departments who is fully trained, we should hire them. Renée agreed with Dan, but thinks it's premature to "unfreeze" hiring. When it comes to safety services, we need to seize the opportunity to hire good people. Robert agrees with Steve, and he is not ready to talk about hiring anyone until we start seeing property tax revenue come in. Robert would like to see numbers on how much it would cost to suspend carry-in, carry-out, put garbage cans in the park, and hire someone to empty them. Jim doesn't think we should make any changes to the hiring freeze and reducing spending. We have some big challenges ahead, so it's premature to make any decisions. We need to decide what portions of the budget we enact, and we need to wait until later in the year to make any decisions. He's concerned about another potential depression, and our GDP is down 2-3 times what it was in 2008. The Mayor strongly thinks we need to invest in the appearance of our community, as well as the safety of our community. John added that changing the carry-in, carry-out policy would require a change to the City Code.

The Mayor called an Executive Session to discuss matters that may impair public safety if disclosed.

Nick motioned to adjourn to Executive Session, Steve seconded.

Meeting adjourned to Executive Session at 9:13 p.m.

Nick motioned to adjourn, Erich seconded.

Meeting adjourned at 9:31 p.m.

Appendix B

ENVIRONMENTAL COMMITTEE & ORDINANCE COMMITTEE

Tuesday, May 19 2020

7:00 PM

<https://zoom.us/j/98472332607>

Environmental Committee: Karen White, Chair
Robert O'Brien (7:05 PM)
Renée Sutton
Dan Unrath

Other Councilmembers: Mayor Palumbo, Nick Cutri (**7:30 p.m.**) Erich Dittmar, Jim Terwilliger, Steve Uebbing

Staff: John D. Goodwin, David Hou, Chief Hedworth

1. Update on Kershaw Park Beach and Bathhouse Opening

Despite the Governor's Phased Re-opening approach which had recreation in Phase 4, the Governor announced an agreement with New Jersey, Connecticut, and Delaware to open beaches for the Memorial Day weekend. The State beaches will be allowed to open with no more than 50% capacity, areas of social gathering will be closed, and masks must be worn by employees and visitors. The Governor left the decision to open local government-controlled beaches to the Chief Executive which can impose additional requirements above and beyond the State requirements. As the Chief Executive, the City Manager has decided to not open the Kershaw Park Beach and Bathhouse until at least June 27th which aligns with Phase 4. The City Manager would also like to adjust the hours of operation from 10 AM-9 PM to 10 AM to 7 PM.

John provided an update on the agenda item. Despite the Governor allowing municipalities to make decisions on their own beaches, the City does not feel it's prepared to open. The Town and County are also planning to keep all their beaches closed. Karen asked about the proposed change in hours, and John stated it was more of a financial decision. Beach usage tails off in the later hours, so cutting back those two hours would create savings while having minimal impact on services. Renée fully supports these actions- especially after seeing what she saw at Kershaw. She is still extremely concerned about keeping the park open considering the complete lack of social distancing she saw. John said they have cancelled all reservations and the PD has been patrolling. Renée appreciates how difficult the enforcement is, and would hate to have to close the park all together. Karen would like some flexibility on closing hours if it is a hot summer. Steve would like to remain open to the idea of opening prior to June 27th- especially if residents can show responsible social distancing.

2. Update on City of Canandaigua 4th of July Festivities

Last month the Committee discussed cancelling the 4th of July Parade, Community Picnic and the Fireworks. It was the general consensus to cancel the City sponsored events, but wait and provide the City Manager with the discretion. The City Manager recommends cancelling the parade, community picnic and the fireworks, but has been working with Staff and Break the Ice Media on alternative and socially distant way for the community to celebrate Independence Day. Details to be shared at the meeting.

John provided an update on the agenda item. The City is concerned that it can hold the parade, fireworks, and community picnic in a safe a socially distant fashion- especially considering what was seen over the weekend at Kershaw. As a result, the difficult decision has been made to cancel those three events. Instead, the City is encouraging residents to decorate the home or business for a contest. Any one who registers will be considered, and added to a driving tour for judging. The application will be out June 1st on the website and due June 19th. The theme is “Unsung Heros,” and all participants should have their premises decorated by June 26th for judging. Karen requested final details be sent to Councilmembers. John thanked Break the Ice Media, who normally does our 4th of July, is doing this contestant for the City on a volunteer basis. Renée thanked Nancy and John for coming up with this, and she is grateful for the effort to keep the community united.

3. Dog Park Shade Structure

The 2020 Capital Budget includes a shade structure for Canandaigua Canine Campus which will be a pavilion that straddles the center fence line toward the north end of the park. Funds raised by the Friends of Canandaigua Canine Campus are planned to be used for this project. Recent concerns have been raised about the project for a nearby resident. As such, it was requested that the project be discussed at this Committee meeting.

John provided an update on this agenda item. There have been several attempts to put trees in, but despite these efforts they have not taken. Instead of continuing to buy trees, the proposal is to build a pavilion straddling both sides to provide shade. It would be similar to the structure at Kershaw Park, and be put at the extreme north end of the park. Steve thinks any concerns over visual obstruction are addressed by the plan. Robert requested a design drawing, and John said this point there isn’t anything concrete but he can send Kershaw structure drawings to provide a general idea. Renée asked if there has been any more consideration to adding fencing at the end of Academy, and John said he will continue to explore the best way to do that. He isn’t sure putting up a fence would help the viewshed or address all the concerns raised by residents. Renée asked what the next steps are in resolving this, and he stated he doesn’t know- they are still trying to figure out how to best address the issue. Some neighbors have stated they will put a fence on their private property, which might be the best answer but not popular. The City cannot contribute labor or resources to projects on private property. The railroad has no interest in replacing the fence that was there, and Steve asked if we can make them replace the fence due to the potential safety hazard of children or pets running into an active railroad. He added we need to be as reasonable as possible when dealing with residents. The Mayor was surprised at the railroad’s response, and said he would contact Pam Helming. Corporation Counsel stated they would also look into it, but that it would likely be a DOT decision. Jim thinks it’s time to move ahead and build the structure. Three committee members were in favor of moving forward with the project. Renée sees the shade structure and the resident concerns as separate issues, and wants to see those remain on the agenda. Robert again requested a drawing, and John said he would work something up and send it out to Council.

Renée motioned to adjourn, Robert seconded.

Meeting adjourned at 7:32 p.m.

Ordinance Committee: Renée Sutton, Chair
Robert O'Brien
Karen White
Erich Dittmar

Other Councilmembers: Mayor Palumbo, Nick Cutri, Dan Unrath, Jim Terwilliger, Steve Uebbing

Staff: John D. Goodwin, David Hou, Chief Hedworth

Meeting came to order at 7:32 p.m.

1. Downtown Parking

As soon as Governor Cuomo issued Executive Order 202.3 on March 16th restricting restaurants and bars to take-out and delivery only, the City responded by restricting parking in front of every Downtown restaurant and bar to facilitate curb-side pick-up and delivery. The BID has requested that this be allowed for the remainder of the year and potentially expand it to other retail establishments given the new business climate. As this parking request is beyond what most would consider temporary, this item has been added for general discussion as to if changes to the City Code are necessary to accommodate this request.

John provided a brief overview of the agenda item. These spaces were created by a temporary police order, similar to what is done for festivals. John said we can change the ordinance, or continue with temporary police orders. He suggested considering no on-street parking on Main St., allowing retail and restaurants equal access. There is ample parking in the rear of buildings even when retail and restaurants fully reopen. Renée asked if there is a limit to the length of police orders, and David said not if there is a clear need. He agrees with John, and said we should consider changing the ordinance until after this pandemic is over. He said if we are going with any type of long-term approach that we should consider an ordinance so it's in writing and the public has ample notice. He reiterated John's point that this is more than temporary, and if we are considering doing this for the remainder of the year, we are essentially changing the law. Chief Hedworth thinks we should leave it as is, because there have been no issues thus far. He thinks it would be a bigger issue to change it and then change it again. He thinks we should stay the course. Jim thinks this is premature as we have no idea how the rest of the year will play out. He thinks we should keep it a temporary police order, take John's recommendation to ban parking on Main St., and reevaluate. Karen is not in favor of eliminating any parking on Main St. Steve thinks we should leave it as is, and allow John to continue to monitor the situation. Renée stated she appreciates why the BID brought this up, but doesn't know if the situation has changed enough to take this type of action. Jim added that all of Main St now has the ability to do curbside pick-up, and retailers should get the same benefits as restaurants have. Renée asked how many merchants on Main St are prepared to do this, and John said it is constantly changing. The consensus was to continue operating as is, and evaluate as the situation changes. Steve suggested we stay in contact with the BID so we can stay limber to the needs of business owners.

There is a rumor that restaurants will be a restricted number of tables, 25% or 50% of capacity. At 25%, some may never open again. At 50% it's more feasible. One suggestion to increase their capacity is curbside dining, which John acknowledges is a lot easier said than done. There are a lot of logistics and there would be some investment needed by business owners, and serving alcohol outdoors would require working with the liquor board and changing our open container law. John discussed several ideas/examples of locations where this could be done, but all of them presented serious logistical challenges. Jim looked at this akin to herding cats, but he thought there may be some establishments who could create an acceptable plan for curbside dining that did not involve in the City at all. It doesn't hurt to listen, but it should be done establishment by establishment. The Mayor acknowledges this will be a task, but believes we need to figure out a way to make it work. He requested this be placed on the next meeting agenda for further discussion and get input from Denise and business owners. Renée thinks Jim's comments were on point- it should be up to the businesses to do this and us to approve their plan, not us organizing a grand plan. She thinks the onus should be on the businesses.

Robert motioned to adjourn, Karen seconded.

Meeting adjourned at 8:04 p.m.